



December 7, 2022

MEMORANDUM ENDORSED

Christian Cowart
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Hon. Gregory H. Woods
United States District Judge, S.D.N.Y.
500 Pearl St.
New York, New York 10007
Via ECF

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 12/7/2022
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RE: Third Consent Letter Motion for Extension of Time File Plaintiff's Consolidated Motion as to [158] Order on Motion for Extension

Viahart, LLC v. Creative Kids Online, LLC, No. 1:20-cv-09943-GHW (S.D.N.Y.)

Dear Judge Woods:

We represent Plaintiff Viahart LLC in this Action. With Defendants' consent, we write to request extensions on the upcoming deadline for Viahart's consolidated motion for summary judgment and to dismiss due on December 8, 2022 [ECF No. 158].

Good cause exists for the court to grant Viahart a one-week extension of time to file the Consolidated Motion. Viahart has been diligently preparing its motion with materials supporting facts that cannot be disputed as required by Rule 56. In addition to the reasons previously stated, counsel for Viahart has had urgent issues arise with other clients, which has impacted the amount of time available to finalize the Consolidated Motion. Consequently, Viahart will need additional time to finalize evidence with respect to these grounds for dismissal under Rules 12 or 56.

Viahart seeks a 1-week extension of the deadline for Viahart's Consolidated Motion from December 8th to December 15, 2022. After conferring, Defendants consented to this extension. This is Viahart's third request for an extension on this deadline.

For these reasons, Viahart respectfully request that the Court find that good cause exists for extending the deadline for Viahart to file the Consolidated Motion to December 15th.



Sincerely,

A handwritten signature in blue ink, appearing to read "Christian J. Cowart", with a long horizontal flourish extending to the right.

CHRISTIAN J. COWART
Counsel for Plaintiff

cc: All counsel of record (via ECF)

Application granted. The deadline for Plaintiff to file and serve its consolidated motion for summary judgment and motion to dismiss Defendants' affirmative defenses is December 15, 2022. Defendants' consolidated opposition is due within five weeks after service of Plaintiff's consolidated motion. Plaintiff's consolidated reply, if any, is due within two weeks after service of Defendants' consolidated opposition.

The Clerk of Court is directed to terminate the motion pending at Dkt. No. 159.

SO ORDERED.

Dated: December 7, 2022
New York, New York

A handwritten signature in black ink, appearing to read "Gregory H. Woods", with a horizontal line drawn across the signature.

GREGORY H. WOODS
United States District Judge